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Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Report of the Second Committee

Rapporteur: Ms. Jana **Simonová** (Czech Republic)

I. Introduction

1. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-sixth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 29th, 31st and 36th meetings, on 21 and 26 November and 4 December 2001. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.2/56/SR.29, 31 and 36). Attention is also drawn to the general debate held by the Committee at its 3rd to 8th meetings, from 1 to 3 October (see A/C.2/56/SR.3-8).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan (A/56/90-E/2001/17);

(b) Letter dated 16 November 2001 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/56/636-S/2001/1090);

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(c) Letter dated 21 November 2001 from the Ambassador of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General, transmitting the Declaration adopted by the Ministers for Foreign Affairs of the Group of 77 at their twenty-fifth annual meeting, held at United Nations Headquarters on 16 November 2001 (A/56/647).

4. At the 29th meeting, on 21 November, the Executive Secretary of the Economic and Social Commission for Western Asia made an introductory statement (see A/C.2/56/SR.29).

II. Consideration of draft resolution A/C.2/56/L.29

5. At the 31st meeting, on 26 November, the representative of Egypt, on behalf of Afghanistan, Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Malta, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" (A/C.2/56/L.29). Subsequently, Senegal joined in sponsoring the draft resolution.

6. At the 36th meeting, on 4 December, the Vice-Chairman of the Committee, Dharmansjah Djumala (Indonesia), informed the Committee of the outcome of the informal consultations held on draft resolution A/C.2/56/L.29.

7. At the same meeting, the Committee adopted draft resolution A/C.2/56/L.29 by a recorded vote of 131 to 3, with 2 abstentions (see para. 10). The voting was as follows:[1]

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo,

[1] The delegations of Bangladesh and Mozambique subsequently indicated that, had they been present, they would have voted in favour.

Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

Israel, Micronesia (Federated States of), United States of America.

Abstaining:

Cameroon, Nicaragua.

8. Before the adoption of the draft resolution, a statement in explanation of vote was made by the representative of Israel; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Union) and Japan (see A/C.2/56/SR.36).

9. The observer for Palestine also made a statement (see A/C.2/56/SR.36).

III. Recommendation of the Second Committee

10. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 55/209 of 20 December 2000 and Economic and Social Council resolution 2001/19 of 25 July 2001,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Reaffirming the need for an immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, and for the achievement of a final settlement on all tracks,

1. *Takes note* of the note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan;[3]

2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

5. *Requests* the Secretary-General to report to it at its fifty-seventh session on the implementation of the present resolution, and decides to include in the agenda of its fifty-seventh session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

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[3] A/56/90-E/2001/17.